

206 F.R.D. 78, 86 (S.D.N.Y.2002). The court has carefully reviewed the Order as well as the Objections, and has determined that the Order of the magistrate judge is fully consistent with and supported by current law and is in no matter clearly erroneous. Based on such determination, the court will overrule the Objections and fully affirm the Order.

Counsel for plaintiff are reminded of this court's expectations of collegiality between counsel and civility with the court, and that there simply is no need to personally attack a respected, hard-working judge of this court by describing his decision as "flat out, clearly, and ineluctably wrong!" Objections (#73) at 2 (exclamation point¹ in the original). Equally, plaintiff's counsel aids their client's cause little by stating that the magistrate judge acted "inexplicably," *id.* at 14, especially where that judge actually explained his decision in a 19-page opinion. Not only are such statements beneath the abilities of plaintiff's counsel, they are incorrect as review of the transcript and the Order disclose that Judge Howell *carefully* considered the arguments of the parties, gave the parties *hours* of court time to explain their positions, and then *fully* explained his reasoning in a well-written 19-page opinion that is fully consistent with law.

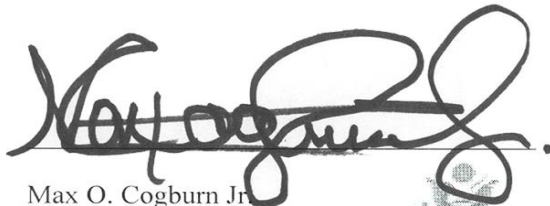
While civility is a trait that is difficult to acquire and seldom imposed, plaintiff's counsel should reflect on what they have placed on the public record and what steps they can take to make amends.

¹ In reading the objections, the court noted that counsel for plaintiff employed exclamation points 12 times in their brief.

ORDER

IT IS, THEREFORE, ORDERED that the Objections (#73) are **OVERRULED**,
and the Order (#71) is **AFFIRMED**.

Signed: January 6, 2016



Max O. Cogburn Jr.
United States District Judge